



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION**

MICHAEL ALEXANDER COLLINS,
Plaintiff,

vs.

AIKEN COUNTY DETENTION CENTER,
Defendant.

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CIVIL ACTION NO.18-2744-MGL

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
AND DISMISSING THE ACTION WITHOUT PREJUDICE
AND WITHOUT ISSUANCE AND SERVICE OF PROCESS**

Plaintiff Michael Alexander Collins (Collins), a self-represented state prisoner, filed this action under 42 U.S.C. § 1983. The matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge suggesting this action be dismissed without prejudice and without issuance and service of process. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on October 24, 2018; and the Clerk of Court entered Collins's objections on November 7, 2018. The Court has reviewed the objections, but holds them to be without merit. It will therefore enter judgment accordingly.

Contrary to the Magistrate Judge's recommendation, Collins argues Defendant Aiken County Detention Center is amenable to his lawsuit and this case is not duplicative of the other cases he has filed with the Court. But, for the reasons articulated in the Report, the Court disagrees. Therefore, it will overrule Collins's objections.

After a thorough review of the Report and the record in this case pursuant to the standard set forth above, the Court overrules Collins's objections, adopts the Report, and incorporates it herein. Therefore, it is the judgment of the Court this case is **DISMISSED WITHOUT PREJUDICE** and without issuance and service of process.

IT IS SO ORDERED.

Signed this 29th day of November, 2018, in Columbia, South Carolina.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within thirty days from the date hereof, pursuant to the Federal Rules of Appellate Procedure.